

REMARKS/ARGUMENTS

The final Office Action of November 28, 2007, has been carefully reviewed and these remarks are responsive thereto. Claims 8, 9 and 12-17 have been canceled without prejudice or disclaimer. Claims 1-7, 18 and 20 remain pending. Entry of the amendments, reconsideration and allowance are respectfully requested.

Claim Rejection Under 35 U.S.C. §101

Claims 8, 9 and 12-17 stand rejected under 35 U.S.C. §101 because the claimed invention is allegedly directed to non-statutory subject matter. Without acquiescing to the rejection and without prejudice or disclaimer, Applicants have cancelled claims 8, 9 and 12-17. This rejection is thus rendered moot.

Claim Rejection Under 35 U.S.C. §103(a)

Claims 1-5 and 13-17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gupta *et al.* (U.S. Patent No. 6,546,405, “Gupta”) in view of Boreczky *et al.* (U.S. Patent No. 6,366,296, “Boreczky”) and Bennett *et al.* (U.S. Patent No. 5,884,256, “Bennett”). This rejection is respectfully traversed for the following reasons.

Independent claim 1 recites, *inter alia*, “using the plurality of pointers to automatically present only the plurality of desired portions of the multimedia presentation without presenting any other portion of the multimedia presentation including the third portion, wherein the second desired portion is displayed automatically after the first desired portion without user interaction.” The Office concedes that Gupta and Boreczky do not specifically teach automatically displaying the plurality of desired portions without user interaction. p. 7. Instead, the Office asserts that Bennett teaches such features. Applicants respectfully disagree. In particular, contrary to the assertions of the Office Action, nowhere does Bennett teaches or suggests automatically presenting a second desired portion after a first desired portion *without user interaction*. At best, Bennett describes a synchronization scheme that allows electronic association between question and answers and an actual position on an audio tape. Col. 25, ll. 42-46. Even so, Bennett clearly teaches that the locating of a position on an audio tape corresponding to a particular question and answer requires a court reporter to locate the requested question and answer, e.g., by using a

lexical search. Col. 26, ll. 14-19. Thus, contrary to the features recited in claim 1, Bennett requires *manual interaction* in order to playback a desired portion of an audio tape. In another example, Bennett describes that an “attorney may use the lexical searching capabilities of the attorney terminals to locate the desired Q & A’s, and may then automatically play the associated audio or video.” Col. 26, ll. 30-33. Thus, in order to play two desired portions, Bennett describes that an individual must search for each corresponding Q & A. In contrast, claim 1 recites playing a second desired portion after a first desired portion *without user interaction*. Accordingly, notwithstanding whether the asserted combination is valid, the combination would not have resulted in the features recited in claim 1. Claim 1 is thus allowable for at least the foregoing reasons.

Claims 2-5 are dependent on claim 1 and are thus allowable for at least the same reasons as claim 1 and further in view of the novel and non-obvious features recited therein.

Claims 6-9, 12, 18 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gupta, Boreczky, Bennett and Kelly *et al.* (U.S. Patent No. 5,907,322, “Kelly”).

Independent claim 6 recites, *inter alia*, “transmitting, from the location remote from said first location, to a viewing system the annotation file as a transmission that is distinct from the broadcast of the event, the annotation file configured to automatically display only the plurality of desired portions of the event without displaying the annotations and without displaying any other portion of the event, the second desired portion being automatically displayed after the first desired portion without user interaction.” As discussed previously with respect to claim 1, the Office concedes that neither Gupta nor Boreczky specifically teaches automatically displaying the plurality of desired portions without user interaction and Bennett does not cure this deficiency of Gupta and Boreczky. Kelly also does not cure this deficiency of Gupta, Boreczky and Bennett. Thus, notwithstanding whether the asserted combination is valid, the asserted combination would not have resulted in the features recited in claim 6. Accordingly, claim 6 is allowable for at least these reasons.

Additionally, none of the cited references teach or suggest transmitting, from the location remote from said first location, to a viewing system an annotation file, as recited in claim 6. As the Office Action notes, Kelly merely discloses transmitting an activity table *to* an on-line

database (i.e., the alleged location remote from the first location). In contrast, claim 6 recites transmitting an annotation file *from* the location remote from said first location. Kelly, Borezcky and Bennett are similarly deficient and thus, fail to cure the deficiencies of Gupta. Claim 6 is thus allowable for this additional reason.

Claim 7 is dependent on claim 6 and is thus allowable for at least the same reasons as claim 6 and further in view of the novel and non-obvious features recited therein.

Independent claim 18 recites features similar to the above-recited features of claim 6 and is thus allowable for substantially the same reasons as claim 6. Claim 20, which depends on claim 18, is allowable for at least the same reasons as claim 18 by virtue of its dependency and further in view of the novel and non-obvious features recited therein.

CONCLUSION

All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same. Should the Examiner find that a telephonic or personal interview would expedite passage to issue of the present application, the Examiner is encouraged to contact the undersigned attorney at the telephone number indicated below. If any additional fees are required or if an overpayment has been made the Commissioner is authorized to charge or credit Deposit Account No. 19-0733. Applicants look forward to passage to issue of the present application at the earliest convenience of the Office.

Respectfully submitted,

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